

**These charges are only allegations which
may be contested by the licensee in an
Administrative hearing.**

IN THE MATTER
OF
YONAS ZEGEYE, M.D.

STATEMENT
OF
CHARGES

YONAS ZEGEYE, M.D., the Respondent, was authorized to practice medicine in New York State on or about December 3, 1982, by the issuance of license number 152635 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about April 28, 2015, The State of Florida, Board of Medicine ("Florida Board") issued a Final Order, after having opened an investigation into the conduct and medical practice of Respondent. The Florida Order required the Respondent to pay a \$10,000.00 fine, \$8,638.77 in cost, required the Respondent to complete CME and to undergo an evaluation by Florida CARES. The Final Order approved a Florida Board Counter Settlement Agreement that revised and incorporated a State of Florida Department of Health, Settlement Agreement ("Settlement Agreement") dated on or about January 29, 2015. The Settlement Agreement in which the Respondent neither admitted or denied the allegations of facts, was based on a State of Florida Department of Health Administrative Complaint (the "Complaint") that alleged that the Respondent, with regard to a patient potentially suffering a cerebrospinal fluid leak, failed to appropriately pursue diagnostic testing on or about both June 4 and June 6, 2012, and failed to appropriately advise the patient to seek hospital admission on or about June 6, 2012, and thereby violated Florida Statue Chapter 458.331, grounds for disciplinary action; and more specifically Florida Statue Chapter 458.331(1)(t):

"Committing medical malpractice as defined in Chapter 456.50. The Board shall give great weight to the provisions of Chapter 776.102 when enforcing this paragraph. Medical malpractice shall not be construed to require more than one instance, event, or act."

1. The conduct resulting in the Order would, collectively, constitute misconduct under the laws of New York State, pursuant to New York Education Law Section 6530(3) (Practicing the profession with negligence on more than one occasion).

B. On or about July 28, 2015, the State Board of Medicine for the Commonwealth of Pennsylvania ("PA Board") by Order ("PA Order"), approved and adopted a Consent Agreement ("PA Consent Agreement"), after having opened an investigation into the conduct and medical practice of Respondent, required the Respondent to pay a Civil Penalty of \$5,000.00. The PA Order was predicated on a Final Order issued by State of Florida, Board of Medicine cited in Paragraph A, above. Respondent acknowledged that he violated the State of Pennsylvania Medical Practice Act §41(4), 63 P.S. §422.41(4), in that Respondent had a license or other authorization to practice the profession suspended, revoked, refused or otherwise disciplined by the proper licensing authority of another state, territory, possession or country, or branch of the federal government.

1. The conduct resulting in the Order would constitute misconduct under the laws of New York State, pursuant to New York Education Law Section 6530(3) (Practicing the profession with negligence on more than one occasion).

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) by having his or her license to practice medicine revoked, suspended or having other disciplinary action taken, or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state, namely N.Y. Educ. Law §6530(3), as alleged in the facts of the following:

1. The facts in Paragraph A and its subparagraph.
2. The facts in Paragraph B and its subparagraph.

DATE: January 25, 2017
New York, New York


Roy Nemerson
Deputy Counsel
Bureau of Professional Medical Conduct